

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DAVID MADDOX,

CASE NO. 1:02 CV-5225 DLB P

Plaintiff,

**ORDER REQUIRING PLAINTIFF TO FILE AN
OPPOSITION OR A STATEMENT OF NON-
OPPOSITION TO DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT**

CALIFORNIA DEPT. OF CORRECTIONS, et al.,

Defendants.

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Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On March 20, 2008, defendants filed a motion for summary judgment. More than twenty-one days have passed and plaintiff has not filed an opposition or a statement of non-opposition. Local Rule 78-230(m).

Plaintiff is required to respond to defendants' motion within **thirty (30) days** from the date of service of this order by filing an opposition or a statement of non-opposition. If plaintiff fails to file a response to defendants' motion, the court will recommend that this action be dismissed, with prejudice, for failure to obey a court order and failure to prosecute.

IT IS SO ORDERED.

Dated: May 8, 2008

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE